

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANNY VALERIUS,	:	
Plaintiff,	:	CIVIL ACTION
	:	NO. 09-06208
v.	:	
	:	
PAUL GERAGHTY, et al.,	:	
Defendants.	:	

ORDER

On December 31, 2009, Plaintiff Danny Valerius filed this shareholder action against Defendants Harleysville National Corporation and the HNC Board of Directors. (Doc. No. 1.) On January 15, 2010, Defendants filed a Motion to Dismiss Plaintiff's Complaint (Doc. No. 5), along with a Motion for Leave to File Excess Pages in their Motion to Dismiss. (Doc. No. 4.)

On January 19, 2010, this case was reassigned to me. (Doc. No. 9.) On January 22, 2010, I ordered Plaintiff to respond to Defendants' Motion to Dismiss by January 29, 2010. (Doc. No. 14.) On January 29th, Plaintiff filed an Amended Complaint. (Doc. No. 17.)

AND NOW, this 2nd day of February, 2010, upon consideration of Defendants' Motion to Dismiss (Doc. No. 5), Plaintiffs' Amended Complaint (Doc. No. 17), and all related filings, it is hereby **ORDERED** as follows:

1. Defendants' Motion to Dismiss (Doc. No. 5) and Motion for Leave to

File Excess Pages (Doc. No. 4) are **DENIED without prejudice as moot;** and

2. Defendants shall answer, respond, or otherwise plead to Plaintiff's Amended Complaint by Friday, February 5, 2010.

IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.